

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**GARY LEON WEBSTER  
ADC #114018**

**PLAINTIFF**

**v.**

**CASE NO. 3:19-CV-00206 BSM**

**T. TANNER, Assistant Prosecuting Attorney,  
Craighead County**

**DEFENDANT**

**ORDER**

Gary Leon Webster, who is currently in custody at the Tucker Unit of the Arkansas Department of Correction, filed a *pro se* complaint pursuant to 42 U.S.C. section 1983 [Doc. No. 1]. Asking Webster to file a motion to proceed *in forma pauperis* would be futile because his complaint must be dismissed, without prejudice, pursuant to the three-strikes provision of the Prison Litigation Reform Act (“PLRA”). *See* 28 U.S.C. § 1915(g).

Webster has received at least three strikes under PLRA. *See Webster v. Does*, 3:19-CV-00059 DPM (E.D. Ark. filed March 20, 2019); *Webster v. Pigg*, 3:19-CV-00060 DPM (E.D. Ark. filed March 20, 2019); and *Webster v. Day Inn Motels, Inc., et al.*, 3:19-CV-00078 DPM (E.D. Ark. Filed March 20, 2019). Based on the allegations contained in his complaint, it does not appear that Webster is in imminent danger of serious physical injury. *See* 28 U.S.C. § 1915(g).

Accordingly, this case is dismissed without prejudice. If Webster would like to continue with this case, he must first pay the filing fee of \$400 to the clerk, noting the above style and case number, within thirty days of the date of this order along with a motion to

reopen this case. Upon receipt of the full filing fee and his motion, this case will be reopened. It is certified that an *in forma pauperis* appeal from this order and accompanying judgment would not be taken in good faith.

IT IS SO ORDERED this 23rd day of July 2019.

  
UNITED STATES DISTRICT JUDGE